



DESCRIPTION ARAC ACS WG – CtA SG Interim Recommendation Report

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SUMMARY This report explains the CtA SG’s concerns regarding the delay in publishing revised and new ACS documents.

TEAM MEMBERS

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| Kevin Comstock | ALPA | Justin Madden | AMFA/Southwest Airlines |
| Chris Cooper | AOPA | Crystal Maguire | ATEC |
| Mariellen Couppee | Mobido Creative | Jimmy Rollison | FedEx (<i>Retired</i>) |
| Eric Crump | Polk State College | Kevin Semler | Leonardo Helicopters |
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ISSUE

The ACS WG is concerned by continuing delays and uncertainty in the FAA publishing new and amended ACS documents.

BACKGROUND

The ACS are the product of a decades-long industry-FAA collaboration. The process in place for the past decade is informed by input by prior FAA Aviation Rulemaking Committee’s and safety recommendations. The ACS, building on the legacy Practical Test Standards, integrates knowledge, risk management, and skills elements into a single comprehensive framework for pilot certification while also providing a clear bridge between the regulatory requirements in Part 61 and the FAA guidance documents, such as Handbooks. By providing a comprehensive framework for what a well-trained applicant should know, consider and do, to qualify for a certificate or rating, these documents contribute to the safety of the U.S. aviation system.

The ACS framework originated in 2011, when a diverse group of aviation community stakeholders, convened in the Airman Testing Standards and Training Aviation Rulemaking Committee (ARC), which recommended this approach to the FAA. A succession of ARAC-chartered WGs and SGs established starting in 2012 have since invested countless hours in developing this integrated approach to defining the knowledge, risk management, and skill elements for use in certification testing.

The FAA published the first two ACS in 2016, and has released several additional ACS, plus revisions to the original documents, in 2017, 2018, and 2019 (https://www.faa.gov/training_testing/testing/acs/). The ACS improves on the PTS by adding the knowledge and risk management sections that correspond to the skills section, as well as adding ACS Codes to track test questions with guidance material and ACS elements which support the overall airman certification system that is: (1) initial training; (2) FAA Knowledge Exam resulting in airman knowledge test report; (3) retraining based on airman knowledge test report, (4) retesting based on airman knowledge test report + overall testing of context-based knowledge, risk management, skills. This ACS format (knowledge, risk management, skills + ACS codes) allows for a more effective means to align FAA guidance with testing, as well as correlate training and testing. It also provides a means for continuous improvement for review and changes over time. The aviation community has fully accepted this approach and embraces the ACS testing framework as a significantly improved guide to ensuring certification training activity focuses on overall proficiency to help prevent rote memorization or performance of tasks, sometimes without context.

The collaborative process that developed the ACS and associated guidance materials (FAA-H-series Handbooks) has also offered greater transparency, fairness, and trust between aviation community stakeholders and the FAA. In addition to using the ARAC ACS WG to develop and update ACS documents, the FAA has made completed ACS available for public comment and review on the agency's website, as well as through Federal Register Notices of Availability.

CURRENT STATUS OF ACS PUBLICATION AND UPDATES

While development and revision work of ACS documents continues (there are fourteen completed ACS, with more in progress) the ACS WG and the broader industry remains frustrated by the fact that no new ACS documents have been released since 2019. The ACS WG understands this delay arises from the previous administration's concerns¹ the ACS (along with the legacy Practical Test Standards (PTS)) imposes testing requirements not explicitly listed in 14 CFR part 61 and other regulations. The current administration's decisions (e.g., [Repeal of \(a\) DOT's 2018 Policies and Procedures for Rulemaking, \(b\) a 2018 General Counsel Memorandum on the "Review and Clearance of Guidance Documents," \(c\) a 2019 General Counsel Memorandum on "Procedural Requirements for DOT Enforcement Actions," and \(d\) a 2019 Rule on Administrative Rulemaking, Guidance and Enforcement procedures](#)) eliminated a key roadblock. The action by the Department of Transportation (DOT) to amend 49 CFR part 5 also provided an important step toward reestablishing a process for ACS publication.

Should there be any other additional concerns to the approval of proposed ACS submitted, we would request:

- the identification of any specific problems, concerns, or obstacles blocking approval of the submitted ACS, and
- recommended appropriate mitigation to any identified problems, concerns, or obstacles.

The negative impacts of the stalled publication of ACS are significant and accumulating. In the absence of new and/or revised certification testing standards, aviation training and testing providers rely on outdated PTS, ACS documents that have no path to be updated with current safety information, or no published standard at all. With the rapid proliferation of new entrants (e.g., drones, powered lift, vertical takeoff and landing, and urban air mobility), a way forward for the publication of ACS documents and a reactivation of the standards and testing framework envisioned by the FAA and industry is urgently needed.

While the ACS WG understands and appreciates the need to avoid "rulemaking by policy" or requirements that could impose an undue burden on the public, the ARAC process and the ARAC-developed product (i.e., ACS) have proven to offer an efficient, effective, and transparent means to create and manage certification testing elements for a highly dynamic industry with safety as the highest priority. The process includes opportunities for both expert input through the ARAC and public comment that achieves the desired transparency. Through ARAC, the FAA benefits from stakeholder collaboration and input that helps to maintain systematic alignment among certification testing requirements flowing from topics defined in regulation, guidance, and testing. This process also provides the flexibility needed to ensure that certification testing standards can be regularly revised, in a timely way, to support both advances in technology and evolving safety issues.

¹ [Administrative Rulemaking, Guidance and Enforcement Procedures](#), 84 FR 71714, published Dec. 27, 2019

The FAA needs to create a path that provides for the effective, efficient, and transparent maintenance and publication of ACS documents, for both those ACS documents that have been approved by the ARAC, and those ACS documents pending with the FAA for coordination and review, and then, continue development of new editions and new titles. To best serve the interest of safety, as well as stakeholder needs, such a path must:

- accommodate safety needs (including NTSB, FAA, and stakeholder input);
- allow timely changes when circumstances require;
- provide for predictable revisions;
- allow for public consultation; and
- promote continued communication and interaction with community partners.

We respectfully request the ARAC engage with the FAA, as soon as possible, to find such a path. This Congressionally-mandated Call to Action is pointless without a means to publish, and revise as necessary, the ACSs.

REFERENCES

<https://www.congress.gov/116/bills/hr133/BILLS-116hr133enr.pdf>

H.R. 133-1160: Page 1158, Sec. 119. Domestic and International Pilot Training. (c) (2) (D): “a review of revisions made to the airman certification standards for certificates over the last 4 years, including any possible effects on pilot competency in basic manual flying skills”

<https://www.congress.gov/116/bills/hr133/BILLS-116hr133enr.pdf>

H.R. 133-1160: Pages 1159-1160, Sec. 119. Domestic and International Pilot Training. (d) (1); (d) (2) (A), (B), and (C); and (d) (3):

“(d) CALL TO ACTION ON AIRMAN CERTIFICATION STANDARDS.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this title, the Administrator shall initiate a call to action safety review of pilot certification standards in order to bring stakeholders together to share lessons learned, best practices, and implement actions to address any safety issues identified.

(2) CONTENTS.—The call to action safety review required under paragraph (1) shall include—

(A) a review of Administration regulations, guidance, and directives related to the pilot certification standards, including the oversight of those processes;

(B) a review of revisions made to the pilot certification standards for certificates over the last 5 years, including any possible effects on pilot competency in manual flying skills and effectively managing automation to improve safety; and

(C) a process for aviation stakeholders, including aviation students, instructors, designated pilot examiners, pilots, airlines, labor, and aviation safety experts, to provide and discuss any observations, feedback, and best practices.

(3) REPORT AND RECOMMENDATIONS.—Not later than 90 days after the conclusion of the call to action safety review pursuant to paragraph (1), the Administrator shall submit to the congressional committees of jurisdiction a report on the results of the review, any recommendations for actions or best practices to ensure pilot competency in basic manual flying skills and in effective management of automation, and actions the Administrator will take in response to the recommendations.”